

The Florida Senate  
**HOUSE MESSAGE SUMMARY**

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Prepared By: The Professional Staff of the Committee on Regulated Industries

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[2021s00148.hms]

BILL: CS/SB 148, 1st Eng.  
INTRODUCER: Regulated Industries Committee and Senator Bradley  
SUBJECT: Beverage Law  
DATE: April 27, 2021

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### **I. Amendments Contained in Message:**

**House Amendment – 853337** (body and title)

### **II. Summary of Amendments Contained in Message:**

**House Amendment – 853337** Removes from the bill the provisions:

- Limiting the size of alcoholic beverage containers that may be sold or delivered for off-premises consumption to not more than 32 ounces.
- Requiring alcoholic beverage containers sealed by the licensee or its employee have an unbroken seal that prevents the beverage from being consumed when removed from the premises, be placed in a bag or other container secured in such a manner that it is visibly apparent if the container has been opened or tampered with, and have a dated receipt of the beverage and meal attached to the container.
- Requiring alcoholic beverages prepared and sealed by the licensee that are delivered or transported by motor vehicle be placed in a locked compartment, locked trunk, or other area behind the last upright seat of the motor vehicle.

The amendment also:

- Amends s. 564.09, F.S., which under current law permits a restaurant patron to take home a partially consumed bottle of wine under certain conditions if the restaurant patron must purchase and consumes a full course meal consisting of an entrée, salad or vegetable, beverage, and bread. The amendment repeals the requirement that the meal purchased and consumed by the patron be a full course meal consisting of an entrée, salad or vegetable, beverage, and bread.
- Provides that allowing a person under the age of 21 to deliver alcoholic beverages on behalf of an alcoholic beverage vendor is a violation of the prohibition against selling, giving, or serving alcoholic beverages to person under age 21. It also requires an alcoholic beverage vendor or an agent or employee of a vendor to verify the age of the person making a delivery of an alcoholic beverage.
- Amends s. 564.09, F.S., to allow a restaurant licensed to sell wine for consumption on the premises to sell or deliver a manufacturer-sealed bottle of wine, or an individual serving of wine or wine-based beverage prepared by the licensee, for off-premises consumption if the

wine is delivered in a container sealed by the licensee and the sale or delivery is accompanied by the purchase of a meal. Such deliveries must comply with s. 561.57, F.S.

- Amends s. 565.045, F.S., to allow vendors licensed under s. 565.02(1)(b)-(f), F.S. (generally non package-store quota license holders who may sell beer, wine, and liquor for consumption on the premises) to sell or deliver alcoholic beverages by the drink or in manufacturer-sealed containers for off-premises consumption. The amendment also authorizes such licensees to sell or deliver an individual serving of liquor or a liquor-based beverage prepared by the licensee for off-premises consumption if the container is sealed by the licensee and accompanied by the sale of food, and the food and nonalcoholic beverages account for at least 25 percent of the total charge for the order.